

FILED

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

AUG 27 2014
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

V.

MITCHELL STEPHEN DAILEY,

Defendant.

**CRIMINAL NO.
INDICTMENT**

MO 14 CR - 218

**[Vio: 18 U.S.C. § 2251(a) -
Attempted Production of Child Pornography;
18 U.S.C. § 2422(b) -
Attempted Enticement of a Child;
18 U.S.C. § 1470 -
Sending Obscene Material to Child Under 16]**

THE GRAND JURY CHARGES:

**COUNT ONE
[18 U.S.C. § 2251(a)]**

That from on or about June 9, 2014 to on or about July 3, 2014, in the Western District of Texas, the Defendant,

MITCHELL STEPHEN DAILEY,

did attempt to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of Title 18, United States Code, § 2251(a).

**COUNT TWO
[18 U.S.C. § 2422(b)]**

That from on or about June 9, 2014 to on or about July 3, 2014, in the Western District of Texas, the Defendant,

MITCHELL STEPHEN DAILEY,

did use a facility of interstate and foreign commerce, to wit: a cellular telephone and the internet, to

knowingly attempt to persuade, induce, and entice an individual who had not attained the age of 18 years to engage in sexual activity for which **MITCHELL STEPHEN DAILEY** could be prosecuted under Texas Penal Code Section 43.25 – Sexual Performance by a Child and Texas Penal Code Section 21.11(a)(1) – Indecency with Child-Sexual Contact, all in violation of Title 18, United States Code, Section 2422(b).

COUNT THREE
[18 U.S.C. § 1470]

That on or about July 3, 2014, in the Western District of Texas, the Defendant,

MITCHELL STEPHEN DAILEY,

did use a facility of interstate and foreign commerce, to wit: a cellular telephone and the internet, to knowingly transfer obscene matter to another individual who had not attained the age of 16 years, knowing that such other individual had not attained the age of 16 years, in violation of Title 18, United States Code, § 1470.

A TRUE BILL

**Original signed by the
foreperson of the Grand Jury**

FOREPERSON OF THE GRAND JURY

ROBERT PITMAN
UNITED STATES ATTORNEY



AUSTIN M. BERRY
Assistant United States Attorney

PERSONAL DATA SHEET (REDACTED)
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

MO14CR-218

Unsealed		
COUNTY: Ector	DIVISION: MIDLAND/ODESSA	JUDGE:
DATE: August 27, 2014	MAG CT #: MO-14-MJ-294	FBI #:
CASE NO: MO-14-CR-	ASSISTANT U.S. ATTORNEY:	
DEFENDANT: Mitchell Stephen Dailey		DOB: XXXXXXXXXXXX
ADDRESS: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX		
CITIZENSHIP: INTERPRETER NEEDED LANGUAGE:		
DEFENSE ATTORNEY: Jeffrey Parras 908 West Wall Street Midland, TX 79701 (432) 687-1606 jparras@parraslaw.net		
DEFENDANT IS: Bond		
DATE OF ARREST: July 8, 2014		BENCH WARRANT: XXX
PROBATION OFFICER:		
NAME AND ADDRESS OF SURETY:		
YOUTH CORRECTIONS ACT APPLICABLE: No		
PROSECUTION BY: Indictment		
OFFENSE (Code and Description): Ct. 1 – 18 USC 2251(a) – Attempted Production of child pornography; Ct. 2 – 18 USC 2422(b) – Attempted Enticement of a Child; Ct. 3 – 18 USC 1470 – Transfer Obscene Material to Child Under 16		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: Ct. 1 - A minimum mandatory term of imprisonment of 15 years, not to exceed 30 years; a minimum mandatory term of supervised release of 5 years, not to exceed life; a fine not to exceed \$250,000; and a mandatory \$100 special assessment; Ct. 2 - A minimum mandatory term of imprisonment of 10 years, not to exceed life; a minimum mandatory term of supervised release of 5 years, not to exceed life; a fine not to exceed \$250,000; and a mandatory \$100 special assessment; Ct. 3 - A term of imprisonment not to exceed 10 years; a minimum mandatory term of supervised release of 5 years, not to exceed life; a fine not to exceed \$250,000; and a mandatory \$100 special assessment.		
PENALTY IS MANDATORY: As stated above.		
REMARKS: AGENT: Brian Burney, Texas Rangers		